

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 2431 - SB 3472

February 25, 2012

SUMMARY OF BILL: Authorizes consideration of a defendant's history of drug abuse as a mitigating factor indicating diminished capacity for sentencing purposes.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Authorizing consideration of the defendant's drug abuse history as a factor indicating diminished capacity within the existing diminished capacity mitigating factor could provide the sentencing court with additional considerations in determining the appropriate sentence under the sentencing guidelines. However, the existence of a mitigating circumstance, and its consideration by the court, does not guarantee a reduction in a sentence.
- Any impact to the caseloads of the state trial and appellate courts resulting from expansion of this mitigating circumstance can be accommodated within existing judicial resources without an increased appropriation or reduced reversion.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

/lsc

HB 2431 - SB 3472